

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

In re: §  
§  
Adams, James Thomas § Case No. 09-54939-C  
Adams, Doris Darlene § Chapter 13  
Debtors §  
§

**DEBTORS' MOTION TO MODIFY CONFIRMED PLAN AND REQUEST FOR  
ADDITIONAL COMPENSATION**

**THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR  
INTERESTS.**

**IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM  
THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED  
WITHOUT A HEARING BEING HELD.**

**A TIMELY RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.**

TO THE HONORABLE BANKRUPTCY JUDGE OF THIS COURT:

The Debtors, James Thomas Adams and Doris Darlene Adams, move the Court for an Order modifying the Chapter 13 Plan, and in support of this motion would show the Court as follows:

The Debtors filed this case on 12/17/2009, and the Court entered the Order confirming the Debtor's Chapter 13 Plan on 3/1/2010.

The Debtors have incurred a tax debt for tax year 2007 with the Internal Revenue Service. Pursuant to §§1328 and 1305(a), the Debtors wish to include this debt to be paid inside their Chapter 13 Plan. The priority debt is owed to the Internal Revenue Service in the amount of \$3,602.64, which includes interest of \$299.64. This portion of the debt is to be paid as pro-rata. The general, unsecured portion of the debt is the penalty in the amount of \$346.82. The debt is to be paid along with the other general, unsecured creditors.

The Chapter 13 Plan, as confirmed, provides for a 100% repayment to unsecured creditors. The percentage repayment to unsecured creditors will be approximately 57% as a result of the addition of the debt.

The Debtors' attorney has not requested post petition fees in this case. There are not any pending applications for fees. The Debtors have incurred additional attorney fees in the amount of \$350.00 for the preparation and filing of this motion, service on creditors, and appearance at the hearing on this motion. The Debtors request that the compensation is to be paid by the Chapter 13 Trustee as an administrative priority expense under the Chapter 13 Plan.

Therefore, the Debtors respectfully move the Court for an Order modifying the Chapter 13 Plan and awarding attorney fees in accordance with this motion.

DATED: 6/30/2010

Respectfully submitted,  
FLUME & ASSOCIATES  
8700 Crownhill Blvd., Suite 502  
San Antonio, TX 78209  
Telephone: (210) 930-7000  
Fax: (210) 820-3207

By: 

Rick Flume, SBN 22299200  
Attorney for debtors

**CERTIFICATE OF SERVICE**

The undersigned certifies that, on this date, service of a copy of the attached has been accomplished by CM/ECF to **MARY K. VIEGELAHN, Chapter 13 Trustee**, and by first class mail, postage paid, to the parties in interest listed below and on the attached matrix.

DATED: 6/30/2010

  
Rick Flume

**DEBTORS**

James Thomas Adams  
Doris Darlene Adams  
503 E. Calvert Ave  
Karnes City, TX 78118

American Eagle Outfitters  
P.O. Box 981064  
El Paso, TX 79998

Flume & Associates  
8700 Crownhill Blvd, Suite 502  
San Antonio, TX 78209

Navy FCU  
P.O. Box 3501  
Merrifield, VA 22119

American Express  
P.O. Box 297812  
Ft. Lauderdale, FL 33329

Ford Motor Credit  
National Bankruptcy Service Cen  
P.O. Box 6275  
Dearborn, MI 48121

NCO Financial  
507 Prudential Rd.  
Horsham, PA 19044

AT&T Mobility  
c/o AFNI  
P.O. Box 3427  
Bloomington, IL 61702

GE Money Bank  
P.O. Box 981127  
El Paso, TX 79998

NCO Portfolio  
c/o GFS Financial Solutions  
P.O. Box 4865  
Beaverton, OR 97076

AT&T Mobility  
P.O. Box 650574  
Dallas, TX 75265

Hudson & Keyes, LLC  
c/o Regent & Assoc.  
2650 Fountain View Dr. #233  
Houston, TX 77057

Sears  
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Sioux Falls, SD 57117

Capital One  
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IRS / Special Procedures  
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Unifund  
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Double Day Book Club  
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Indianapolis, IN 46206

Karnes County National Bank  
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Karnes City, TX 78118

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Karnes County Tax Assessor  
200 E. Calvert Ave. Ste. 3  
Karnes City, TX 78118

United States Attorney/IRS  
Attn: Gary Wright  
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San Antonio, Texas 78216

First Consumer National Bank  
c/o Midland Credit Management  
P.O. Box 12421  
Oaks, PA 19456

Karnes County Tax Assessor  
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Karnes City, TX 78118

US Trustee  
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San Antonio, TX 78295-1539

Walmart  
c/o Asset Acceptance  
610 Waltham Way  
Sparks, NV 89434